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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

11 DAVID MCDERMID, ) NO. EDCV 15-1853-JGB (AS)  
12 Plaintiff, ) **ORDER ACCEPTING FINDINGS,**  
13 v. ) **CONCLUSIONS AND RECOMMENDATIONS**  
14 BRIAN VILLANUEVA, et. al., ) **OF UNITED STATES MAGISTRATE**  
15 Defendants. ) **JUDGE**  
16 \_\_\_\_\_ )  
17

18 Pursuant to 28 U.S.C. section 636, the Court has reviewed the  
19 Third Amended Complaint, all of the records herein, and the Report and  
20 Recommendation of United States Magistrate Judge, to which no  
21 objections were filed. Accordingly, the Court accepts the findings,  
22 conclusions and recommendations of the Magistrate Judge.  
23

24 **IT IS ORDERED** that Judgment shall be entered dismissing this  
25 action against Defendant Esquetini with prejudice, and dismissing this  
26 action against Defendant Villanueva without prejudice.


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1           **IT IS FURTHER ORDERED** that the Clerk serve copies of this Order  
2 and the Judgment herein on Plaintiff at his current address of record.

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4           **LET JUDGMENT BE ENTERED ACCORDINGLY.**

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6           DATED: April 17, 2020

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11           JESUS G. BERNAL  
12           UNITED STATES DISTRICT JUDGE  
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